

REMARKS

Claims 1, 2, 4-7, 9, 11-14 have been examined and stand rejected. New claims 15 and 16 are hereby added by this Amendment.

Claim 13 is hereby canceled without prejudice or disclaimer. Applicants reserve the right to pursue the subject matter of claim 13 in continuing applications.

Claim Rejections - 35 U.S.C. § 101

Claim 7 stands rejected under 35 U.S.C. § 101 for failing to fall within one of the four statutory categories of invention.

Applicants respectfully submit the present amendment to claim 7 obviates this rejection.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 1-2, 5-7, 9 and 11-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitsui (US 7,222,235) in view of Rhoads (US 6,411,725).

Claim 1 requires extracting a plurality of facial regions of humans from within an image, attaching different information, which do not overlap with other facial regions, to each of the regions, acquiring the information-attached image, receiving photographed-image data obtained by photographing an image reproducing medium, on which the information-attached image is reproduced, with image pick-up means; and detecting the information from the photographed-image data for each of the plurality of facial regions contained in the information-attached image.

The Examiner asserts that Mitsui discloses a plurality of photographed objects in Fig. 33, which do not overlap with other regions that include other photographed objects, and attaching different information, to each of the regions S1 - S4. *See* Office Action, p. 4.

However, the regions S1, S2, and S4 shown in FIG. 33 are not regions which include a photographed object. That is, this portion of Mitsui does not disclose extracting a plurality of regions, each of which includes a photographed object. Rather, FIG. 33 is an illustration showing how the digital watermark is embedded in form Y. However, form Y is not itself an image containing a plurality of photographed objects. Rather, form Y is a mere document format which only includes a single photograph. *See* col. 37, lines 40-46.

With regard to form Y, Mitsui merely discloses extracting a frame region of a photograph, not extracting a plurality of facial regions of humans. Nowhere does Mitsui disclose or fairly suggest extracting any facial regions. Therefore, Applicants submit Mitsui fails to disclose “object extracting means, for extracting a plurality of facial regions of humans from within the image; and information attaching means for attaching different information to each of the facial regions that do not overlap with other facial regions, and acquiring said information-attached image,” as recited in claim 1.

In addition, Rhoads fails to compensate for the above noted deficiencies of Mitsui. Therefore, even if Mitsui and Rhoads are combined as suggested, Applicants submit the applied combination fails to disclose all the features recited in claim 1. Additionally, because claims 7 and 9 recite similar features regarding plural facial region extraction, Applicants submit these claims are allowable for the same reasons set forth above with regard to claim 1. Finally, Applicants submit claims 2, 5-6 and 11-14 are allowable, at least by virtue of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitsui and Rhoads as applied to claim 1, in further view of Motta et al. (US 6,726,103).

In response, Applicants submit that because Motta, either taken alone or in combination with Mitsui and Rhoads, fails to compensate for the above noted deficiencies of the Mitsui/Rhoads combination as applied to claim 1, claim 4 is allowable at least by virtue of its dependency.

New Claims

New claims 15-17 are hereby added by this Amendment to describe various features of the invention more particularly. These claims are submitted to be allowable by virtue of the features recited therein, and by virtue of their dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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